Bombay Gazette.

PUBLISHED TWICE A WEEK—ON WEDNESDAY AND SATURDAY MORNING—PRICE RUPEES THIRTEEN PER QUARTER.

VOL. XVLI.] SATURDAY, DECEMBER 12, 1835. [No. 2,540.

ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay, that letters of Administration (with the will annexed), of the Goods Chattels rights and Credits of ANTHONY SEYMOUR, ESQUIRE, late a Major in the 20th Regiment of Native Infantry of the East India Company on their Bombay Establishment deceased, may be granted to WILLIAM FENWICK, ESQUIRE, the Registrar of the said Court. All persons concerned therein, are hereby apprized thereof,—Dated this 3d day of December 1835.

H. E. SOUTHOUSE,
Proctor.

ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay that letters of Administration of the Goods Chattels rights and Credits of ALEXANDER URQUHART late a Captain in the second Regiment of Light Cavalry of the East India Company on their Bombay Establishment deceased, may be granted to WILLIAM FENWICK, ESQUIRE as the Registrar of the said Court all persons concerned therein are hereby apprized thereof. Dated this 10th day of December 1835.

H. E. SOUTHOUSE,
Proctor.

ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay, that letters of Administration, with the last Will and Testament annexed, of all and singular the Goods and Chattels Rights and Credits of SAMUEL MACAN, late a Lieutenant in the Military Service of the United East India Company on their Bombay Establishment deceased, may be granted to WILLIAM FENWICK ESQUIRE, Registrar of this Honorable Court. All persons concerned are hereby apprized thereof.—Dated this 3d day of December 1835.

D. B. SMITH.
Proctor for Petr.

ON Monday, the 14th of December instant, at 11 A. M. FRITH, BOMANJEE AND CO., will sell by public auction at his residence, in the lines of the 11th N. I. on the Esplanade, the Household Furniture and property of Major OTTEY, proceeding to Europe.

Consisting of Handsome Plated Curry Dishes, Bottle Stands, Toast Rack, Glassware, such as Tumblers, Wine Coolers, Decanters, Lamps, Wine and Claret Glasses, Handsomely carved Blackwood Furniture comprizing Skreens, Tables, Couches, Bookcases, Sideboad, Chairs, Foot stools, Teapoys, Napkin Press, Prints in Frame, Large Cot complete, ward Robe, washing and Dressing Tables, Cooking utensils, Breakfast and dinner set, a variety of Books, a superior side saddle by 'Peat" and about 50 Tubs of Plants, &c.

The Property is now open for inspection and no Catalogues are published.

Nesbit Lane, 12th Dec, 1835.

SALE OF JEWELLERY.

ON Wednesday the 23rd Inst., Messrs FRITH BOMANJEE and Co. will submit for sale at their Rooms, without reserve and to close an account, the remainder of an Invoice of Jewellery, consisting of a Gold Earrings, Necklaces. Boraches, Breasts Pins, Rings, Silver Thimbles, Fruit Knives, Segar Tubes, Silver mounted Spectacles, double Eye Glasses &c. &c. &c. and on the same day to close an account they will sell a variety of superior French Wines, vizt. Lafitte, Red and White Hermitage Carbounieux Medoc, St. Estephe, St. Valence, Frontignac &ca. &ca. &ca. and a variety of other goods, of which particulars will appear in future advertizements.

Nesbit Lane, December 12th, 1835.

ADVERTISEMENT.

MESSRS FRITH, BOMANJEE AND CO. have on Sale at their Godowns Fine old Strong Burton Ale, at ten Rupees per dozen.

Bombay, 12*th Dec.*, 1835.

WANTED.

GOOD English Compositors.—Apply to the PRINTER of this Paper.

Gazette Office, 12*th Dec.*, 1835.

THE Committee of the *Agricultural and Horticultural Society of Western India*, beg to give notice, that the Annual Meeting of the Society will be held on Tuesday the 5th January next 1836, at the Rooms of the Native Education Society on the Esplanade, at the hour of eleven o'clock in the forenoon, when Prizes will be distributed to those who produce the finest specimens of fruit and vegetables grown on the Island or on Salsette; preference being given to growers for the Market.

JOHN VAUPELL,
Secretary.

BOMBAY, 12*th Dec*, 1835.

જાહેરખબર*

આથી અંગ્રેજી પરાંતની હીંદોસ્તાનાંની ફુલવાડી તથા ખેતીવાડીની ઝમરાઈ કરનારી શનાની મંડલી નમ્રે નાકર્યો જાહેરખબરે ઈ ખાતાની વરસા દાહડાની સનાં તારીખ ૫ મી જનેવારી સને ૧૮૩૬ ને મંગલવારને દીને બપોરનાં ૧૧ કલાકે કાંપર હીંદુ નીયાલ શાલ પુરાતક મંડલી વાલાં ઘરમેં જાસરે તે વેલાકિ જેજે ધણીએ આકિ ટાપુસેા અથવા બાસટીસેા પાકવેલા શરસસેા શરસ મેવા અથવા તરકારીનાં નમુનાં લાવી દેખડાવસે તેણાંસેા તે ઈનામ નાણાંનાં વેંચી આપેઆસેા આવસે* પંણ જે ધણીએકિ બે બત્તરનાં બપને થારુ ઐવી જનસે પાકરી હસે તે ણાંને ઈનામ વધારે મલસે*

જા ન વા પેલ*

તા૦ ૯ મી ડીસેમબર ૧૮૩૫ સેક્રટેરી*

પશ્चम हिंदुस्थानांतील बागाईत व जिरा ईत मंडळीचे पंच खबर देताहेत कीं त्याचो वार्षिक सभा ता. ५ जानेवारी सन्न १८३६ आणि मंगळवार या दिवसीं कापावर देशभाषेचे विद्याभ्यास मंडळीचे जाग्यावर प्रातःकळि ११ वाजतां भरेल आणि तेथें बागावांत व प्रांत साष्टींत निपजलेलीं चांगल्या नमुन्याचो फळें व भाज्या आणितील त्यांस इनामे देतील परंतु बाजारांत खपतिल अशा जिनसा आणितील त्यांस मोठो आबरू मिळेल मुा मुंबै ता. ६ डिसेंबर सन्न १८३५

ज्यानबापेत साहेब चिटणिस सही

A Respectable European Female servant, who can be very strongly recommended, is desirous of returning to the Cape or England and would engage to attend on a Family, or to take charge of Children, on reasonable terms.—Apply to Messrs LECKIE & Co.

Bombay, 12*th Dec.* 1835.

NOTICE.

THE Annual Meeting of the Bombay Bible Society will be held in ST. THOMAS'S Church on Wednesday the 16th December at 7 o'clock in the evening. The Right Reverend the LORD BISHOP is expected to preside.

HENRY JEFFREYS
JOHN WILSON } *Secretaries.*

Bombay, 11*th Dec.*,1835.

ON Monday and Tuesday next the 14th and 15th instant at 11 A. M., J. & M. NOWROJEE will submit for Public Sale by Auction at the late LIMJEE BHICCAJEE's SONS & CO'S. Rooms in Apollo Steeet, the following Articles to close Sundry Accounts consisting of Mirrors, Framed Prints of sizes, Double branched Wall Shades with spare Shades, some very rich Breakfast and Dinner services, &c. &c. &c.

Bombay, 12*th Dec.*, 1835.

NOTICE.

THE undersigned have returned to their former Premises, No. 1 of "Dady's Buildings," Forbes Street, within the Fort.

WOOLER AND CO.

Bombay, 12*th December,* 1835.

ADVERTISEMENT.

TURNER AND CO. Coach Builders Painters, and Trimmers, Harness and Saddle makers, beg leave to inform the Inhabitants of Bombay and out Stations, that they have now enlarged their, Establishment, situated in Kalbadavie street, outside the Fort, where all orders received will be duly and punctually attended to.

Officers Commanding corps at out stations, can be furnished with Stocks, Peaks, Chin straps, Saberdashes, Sword Belts slung, and with frog of patent Leather by giving warning one month before the time they require them. Oil cloth can be furnished at any time.

Bombay, 12*th December,* 1835.

CARD.

W. WETHERELL begs leave to inform the Gentlemen of Bombay and its Vicinity, that he is about to establish a Viterinary establishment in all its Branches, and hopes by the constant and skilful manner of the performance of his profession, he shall meet a share of the public favour.

N. B. W. Wetherell will shoe Horses at ½ Rupee each and removing do. ¾ each, and he has served his time to the above profession under Coleman, Viterinary College in London. All orders will be received at NASSERWANJEE. MANACKJEE'E Stable at Byculla.

Bombay, 12*ht Dec.* 1835.

BILLS ON LONDON.

A few Bills drawn and guaranteed by the Royal Bank of Scotland, on Coutts and Co. of London at 30 day's sight, are for sale at the Office of the undersigned, in Sets of £150, £300 and £400 at the Exch. of 1s. 11d. per Bombay Rupee. From parties at outstations remittance on the Civil or Military Pay offices of Bombay will be received in payment.

RITCHIE, STEUART AND CO.

Bombay, 12*th December,* 1835.

PROSPECTUS.

TO be Published on the 1st of January (On English Paper and good Type) THE BOMBAY CALENDAR AND DIRECTORY, for 1836, containing a Historical and Topographical Sketch of the Island of Bombay and its more immediate dependencies—(accompanied by a Map); The Army List, Divisional, Brigade and Garrison Staff, the Medical Establishment, the Civil List, the Home Establishment of the Indian Government, the Ecclesiastical Establishment of the Churches of England and Scotland in India, the Indian Naval List, a List of H. H. the Nizam's Army, a List of the European Inhabitants of the Island of Bombay, Marryat's Code of Signals, with a variety of other matter, which has not hitherto appeared in any similar publication at this Presidency, the particulars of which, will be more fully given, as soon as a Table of Contents to the proposed Calendar is prepared. As only a limited number of copies will be struck off, Subscribers are requested to send in their names to the Gazette office, where copies *five Rupees each,* will be delivered upon Publication.

Gazette Office, 12*th Dec.*, 1835.

FOR SALE.—Respondentia Bonds, each..... Rs. 1
Ships Articles..... ,, 1
Policies of Insurance..... qrs. 2
Bills of Exchange, per set..... ,, 2
Interest Bonds..... ,, 2
Bills of Lading..... ,, 2
Powers of Attorney, each..... ,, 2

☞ All Orders for Letter Press, and Copper Plate Printing, will be punctually attended to.

FOR PASSAGE TO LIVERPOOL.

THE HUDDERSFIELD Captain E. NOAKES will sail about the end of this month, for Passage apply to Capt. NOAKES or Messrs RITCHIE STEUART & Co.

Bombay, 12*th Dec.*, 1835.

TO BE LET.

A WELL Known Commodious and Airy House, situated in Rampart Row, formerly occupied by Martin West Esq., and lately by the Court of Requests. For particulars apply to RUSTOMJEE MUNCHERJEE BENGALLEE or MUNCHERJEE BURJORJEE MODY in the Fort.

Bombay, 12*th December,* 1885.

FOR FREIGHT OR PASSAGE TO LONDON TOUCHING AT THE CAPE.

EXPRESSLY fitted out for Passengers the most splendid Bombay Teak built Ship "BUCKINGHAMSHIRE," of 1468 Tons, lately owned by the Honorable Company, C. F. HOPKINS, H. C. S. Commander, is expected to arrive here early in January next, and will have an early despatch, having a Surgeon attached, plans of her spacious and most splendidly fitted up Cabins may be seen, or to be had on application at the Office of Messrs. DADABHOY AND MUNCHERJEE PESTONJEE in the Fort.

P. S. This vessel may call at Malabar Coast, either for Freight or Passengers, provided sufficient inducement is offered.

Bombay, 12*th Dec.*, 1835.

FREIGHT AND PASSAGE TO LONDON.

THE "MARQUIS OF HASTINGS," JOHN CLARKSON, commander, will be dispatched on 10th January. Carries a Surgeon. Plans of her accommodations may be had at the Office of Messrs. McGREGOR, BROWNRIGG, AND CO.

Bombay, 12*th Dec.*, 1835.

FREIGHT AND PASSAGE TO LONDON.

THE Teak built Ship "PALMIRA" 700 Tons, WILLIAM LOADER Commander, expected here early in January and will have immediate dispatch.—Has superior accommodations for Passengers and carries a Surgeon, apply to Messrs McGREGOR BROWNRIGG & Co.

Bombay, 12*th December* 1835.

NOTICE.

Memorandum of the gross quantity of opium, for which passes have been granted from Bombay and Malwa for the season 1835—36.

BOMBAY.

Passes taken out up to the 2nd instant . . . . . chests 3,037
Ditto from the 3rd instant to this day. 60

Chests 3,097

MALWA.

Passes taken out up to the 9th ultimo. . . . . Chests 963
Ditto the 23rd ultimo 13

Chests 976

J. TAYLOR,
Warehousekeeper.

Bombay, 9th December 1835.

GENERAL ORDERS

BY THE RIGHT HON'BLE THE GOVERNOR IN COUNCIL.

MILITARY DEPARTMEMT.

Bombay Castle, 1st *December* 1835

No. 608 of 1835.—Apothecary L. Moore, is allowed a furlough to Europe, for the benefit of his health.

Bombay Castle, 2nd December 1835.

No. 609 of 1835.—Captain C. W. Grant, of the corps of engineers, is allowed a furlough to Europe, for the benefit of his health.

No. 610 of 1835.—Brevet colonel T. Morgan, of the 7th regiment native infantry, is allowed a furlough to Europe, for the benefit of his health.

No. 611 of 1835.—Captain A. C. Peat, is appointed executive engineer at Belgaum, *vice* captain C. W. Grant, proceeding to England, on sick certificate.

No. 612 of 1835—Captain J. Reynolds, 1st assistant commissary general, is allowed leave of absence for eighteen months, to proceed to the Cape of Good Hope, for the benefit of his health.

No. 613 of 1835.—2nd lieutenant G. K. Bell, of the regiment of artillery, is allowed leave of absence for two years, to proceed to the Neelgerries, for the benefit of his health.

Bombay Castle, 3rd December 1835.

No. 614 of 1835.—Mr. William Henry Cobb Lye, is admitted to the service, in conformity with his appointment by the Honorable the Court of Directors, as a cadet of infantry on this establishment, and promoted to ensign, leaving the date of his commission for future adjustment.—Date of arrival at Bombay, 25th November 1835.

The undermentioned officers have returned to their duty without prejudice to their rank, by permission of the Hon'ble the Court of Directors

Date of arrival at Bombay.

Lieutenant colonel J. Shirreff, European regiment. . . . . } 25th Nov. 1835.
Captain E. Stanton, artillery. }
" A. C. Peat, engineers. }
" J. D. Browne, 10th regiment native infantry. . . . . }

No. 615 of 1835.—The Right Hon'ble the Governor in Council has been pleased, by a resolution passed in the political department under date the 1st instant, to place the services of assistant surgeon A. Walker, M. D. at the disposal of the Supreme Government, for employment in the military service of His Highness the Nizam.

Bombay Castle, 4th December 1835.

No. 6 6 of 1835.—The Right Honorable the Governor in Council is pleased to direct, that in the quarterly returns furnished to the accountant and auditor of military store accounts, prescribed in article 38, section 3, of the 2nd supplement to the military regulations, the balance on hand, and the receipt and issue of camp equipage, be inserted, under a distinct head, next after barrack furniture.

No. 617 of 1835—The Right Honorable the Governor in Council is pleased to direct, that the commissariat officer stationed at Cutch, be tranferred to Rajcote. The line adjutant at Bhooj will take charge of the bazar there from lieutenant Hartley, who on his arrival at Rajcote will take charge of the bazar at that station.

Captain Foquett's appointment as commissariat agent at Rajcote, is cancelled from the date of delivering over charge to lieutenant Hartley.

No. 618 of 1835.—Whenever parties of store lascars may be detached from arsenals on duty, commissaries of ordance are authorized to entertain as many extra labourers (not exceeding the number of lascars detached) as may be necessary to perform the duties of the absent lascars.

No. 619 of 1835 —The Right Honorable the Governor in Council is pleased to sanction four privates being added to the establishment of the marine battalion, to be borne on their returns as supernumerary drummers and fifers.

Bombay Castle, 5th December 1835.

No. 620 of 1835.—Doubts having arisen as to what officer is in certain cases entitled to the charge of troops and companies, the Right Honorable the Governor in Council is pleased to establish the following rules on the subject, which are in accordance with the practice that obtains in Bengal.

A cavalry officer returning, whether from furlough to Europe, leave beyond Sea, or staff employ, is not entitled to the beneefits of the troop contract, until he rejoins his regiment.

An officer holding temporary charge of a troop, will lose the contract emoluments if absent, from any cause, for a period exceeding the 30 days in six months allowed, without forfeiture of such emoluments by the regulations.

The same rules are applicable in the case of infantry officers, to the emoluments going with the permanent command or temporary charge of a company.

No. 621 of 1835.—Captain J. Reynolds, assistant commissary general, northern division, is permitted to proceed to the presidency, on sick certificate.

No. 622 of 1835.—The following temporary arrangements are confirmed.

Lieutenant A. Morison, of the 3rd regiment native infantry, to act as fort adjutant at Asseerghur, during the absence of lieutenant Brown, on duty.

Captain E. Hallum, of the 10th regiment native infantry, on relieving captain Troward, at Vingorla, to receive charge of the commissariat department at that station.

Lieutenant J. C Anderson, line adjutant to receive charge of the ordnance store department at Rajcote, during the absance of lieutenant Ash, of the 20th regiment native infantry, on sick certificate.

Lieutenant L. W. Hart, of the 22nd regiment native infantry, to act for captain J. Reynolds, as assistant commissary general northern division of the army, from the 9th ultimo, during that officer's absence, and on his responsibility.

Lieutenant T. D. Fallon, of the 7th regiment native infantry, to receive charge of the bazars, and act as staff officer at Ahmedabad, from the 9th ultimo, until further orders.

Lieutenant H. C. Morse, of the 8th regiment native infantry, to act as adjutant to that regiment, during the absence of lieutenant F. Cristall, on duty at Poona.

Lieutenant C. Rooke, of the 22nd regiment native infantry, to act as quarter master and paymaster to that regiment, during the period lieutenant Hart may be in charge of the commissariat department at Ahmedabad.

Ensign J. R. Keily, of the 20th regiment native infantry, to act as interpreter in Hindoostanee and Maharatta, to the left wing of the 12th regiment native infantry, during the absence of lieutenant Ash, of the 20th regiment native infantry, on medical certificate, or until further orders.

Captain W. J. Browne, brigade major at Baroda, to assume command of that station on the departure of captain J. Clunes, from the 16th ultimo, until further orders.

Captain C. Denton, of the 24th regiment native infantry, to act as major of brigade at Baroda, during the period captain Browne may remain in command of the station.

By Order of the Right Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

MARINE DEPARTMENT.

Bombay Castle, 9th December 1835.

No. 69 of 1835.—Nowrojee Jemsetjee Esq. master builder, is allowed leave of absence from the presidency, for a period of twelve days.

By order of the Right Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

CIVIL APPOINTMENTS, &c.

JUDICIAL DEPARTMENT.

Bombay Castle, 27th December 1835.

The Right Honorable the Governor in Council is pleased, under the provision of act No. XIV of 1835, to appoint captain James Outram and lieutenant Joseph Hale, assistant magistrates in the several zillahs comprehended within the Bombay presidency.

Captain J. Outram, of the 23rd regiment native infantry, is appointed an assistant in the Thuggee department in Western Malwa and Guzerat, and lieutenant J. Hale, of the 22nd regiment native infantry, is appointed to act for him in that department during his absence on a special mission to the Mahee Caunta.

Lieutenant D. C. Graham, second in command of the Bheel corps in Candeish, is appointed to act for captain J. Outram, as commanding officer of that corps, during his absence, on duty in Guzerat.

Bombay Castle, 5th December 1835.

Mr. J. W. Muspratt, assistant judge and session judge of Ahmednuggur, is allowed an extension of the leave granted to him on the 2nd ultimo, for a further period of twenty three days, with permission to visit the presidency on private affairs, under the provisions of section XIV. of the absentee regulation.

Under the provisions of act No. 19 of 1835, the Right Honorable the Governor in Council is pleased to appoint Mr. Chamier, acting assistant judge of Poona, to be acting assistant to the agent for Sirdars in the Deckan.

Bombay Castle, 9th December 1835.

Mr. Chamier, assistant judge and session judge of Tannah, has been allowed an extension of leave of absence for two months, on sick certificate.

The Right Honorable the Governor in Council is pleased to notify that, on the 27th ultimo, the sudder dewanee adawlut issued a commission to Azum Dewrow Samjee, appointing him junior native commissioner of Severndroog, in the zilla of the Konkun, in the room of Narroo Gungadhur, deceased.

POLITICAL DEPARTMENT.

Bombay Castle, 10th December 1835.

The leave of absence, on sick certificate, granted to lieutenant R. Wallace, superintending the Guicowar contingent in the Mahee Caunta, under date the 27th October last, is extended to the 31st December.

By order of the Right Hon'ble the Governor in Council,
J. P. WILLOUGHBY,
Secy. to Govt.

GENERAL DEPARTMENT.

Bombay Castle, 9th December 1835.

The Right Hon'ble the Governor in Council has been pleased to appoint assistant surgeon J. Don, to act as oculist, during the absence of Mr. Jeaffreson, on leave to Europe.

By order of the Right Hon'ble the Governor in Council,
W. H. WATHEN,
Secy. to Govt.

TERRITORIAL DEPARTMENT.

REVENUE.

Bombay Castle, 9th December 1835.

Mr. H. J. Blackiston, assistant to the principal collector of Poona, is allowed an extension of leave, for the period of one month, on sick certificate.

Mr. J. N. Rose, assistant to the principal collector of Poona, is allowed an extension, for one month, of the leave of absence granted to him on the 14th ultimo, on sick certificate.

Dr. Lush, superintendent of the Botanical Garden at Dapooree, is allowed to proceed on duty to Guzerat, during the ensuing harvest season.

Mr. J. D. Inverarity, third assistant to the collector of Ahmednuggur, is allowed leave of absence for six months, to proceed to sea, for the benefit of his health.

Mr. H. E. Goldsmid, acting 3rd assistant to the principal collector of Poona, in charge of Mahole and Indapoor, having been obliged, on the 24th October, to leave those districts, in consequence of ill health, and proceed to Sholapoor, has leave of absence, retrospectively, from that date, to the 23rd November last, when he resumed charge of his duties to those districts.

By order of the Right Hon'ble the Governor in Council,
E. H. TOWNSEND,
Actg. Secy. to Govt.

CORRESPONDENCE.

NOT UNWORTHY OF CONSIDERATION.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—The Company's Officer labours under a great disadvantage when brought to a Court Martial in not having the Proceedings confirmed by the Commander in Chief in India, because no Commander in Chief (you would suppose) would bring an Officer to trial unless he was in his own mind *half* convinced of the guilt of the said Officer, and this must have some sway with such a Commander in Chief on confirming or otherwise the proceedings; but would you believe it, Mr. Editor, there is a *youngster* about to be tried upon whose conduct a fiat has been given without hearing

BOTH SIDES OF THE STORY!

EXTRACT FROM THE BOMBAY JAMSI JAMSHEED DATED 30TH NOVEMBER 1835.

FROM A NATIVE CORRESPONDENT.

"The Bombay Government has determined to construct a Road from Panwell to Tannah, and a Bridge on the Ferry. This will make a thorough road from Poona to Bombay for Carriages &c. The Plan of the Bridge is quite new, and supposed to be superior to several Bridges in the Presidency of Bombay. It can be opened for the Pattamars to pass, and closed again for the Foot Passengers, &c. The cost of the Road and Bridge will be about Rupees 500,000. The proposition of this grand work was made by our late Governor Mr. Elphinstone, and sent home for sanction, which is now returned with the requisite Orders."

POWAGHUR NEAR BARODA AS A RESORT FOR INVALIDS.

(From a Correspondent.)

THE Hill and Fort of Powaghur, is distant from the Champaneeree Gate Baroda, 22 Miles N. E., and thro' Jerrode and Hullole the Cart road is 28 Miles. The Temple of Kali on the summit is at an elevation of nearly 2,000 feet above the sea, and plains below which are a dead flat for 70 miles round in every direction but the east. The Hill and surrounding tract belongs to Scindia.

Now how very many of the residents of Baroda, and the surrounding Posts, are obliged every year at the unhealthy seasons, to take an expensive trip to the Coast, generally Bombay; an immense sacrifice of time and money as well as detriment to the public service is the consequence. It is too well known to the Invalid, that a change of scene, be it but a few miles from camp, has a wonder working effect on the health and spirits, and it is but a short time ago that public attention was awakened to the vast advantages the elevated tracts of country present to Europeans in regard to climate, so that it is to be wondered at that these Hills have not hitherto been more appreciated and resorted to for the recovery of health; altho' so conveniently situated and accessable that with one relay of Bearers, the invalid may be transported to his Tent in the Machee or Great Platform to Breakfast, and enjoy the invigorating change of climate from the burning plains below. May we soon hope to see the Hill of Powaghur serve the whole of Guzerat as Mahabhuleshur or Singurh does our more fortunate countrymen to the Southward, and I feel confident it requires but to be known to be as highly valued. It is sincerely to be hoped that our present respected and liberal ruler will with the same humane, enlightened, and liberal policy which led to the great boon "Malcolm Pait" being conferred on the public, obtain in like manner the cession and exchange of this small and insulated portion of Territory, or otherwise facilitate the resort of their suffering servants in Guzerat to these bracing regions at present closed to them, except for the day—and even then by the tedious process of requesting a pass from the Resident of Gualior!

But unhapily in these days of unfeeling retrenchment. both of purse and comforts, it were vain to hope that Government should incur any additional burthen, even for the comfort of their sick officers* The community will I fear have to stand the expense, —viz. a half way Bungalow at Jerrode, or at any rate a range of sheds in the Plateau, for which the Rawul's old Palace might be made available. In the Pawagur hills then we may possess a convalescent station for all Guzerat endued with a climate of the most delightful and restorative nature—and it may confidently be asserted that in no other spot in Guzerat, can the invalid at so small an expense command so valuable a change of climate.

From the Bala killu, which is situated on a mass of Bassatt Rock in which the primitive Line stone and spar are prominent, a noble view is commanded of the plain below stretching over the wooded Baria Districts and Goonseea Hills to the East, the Baroda plains like a Park below thro' which the serpentine course of the Mhye, till it falls into the Cambay Gulf, can be traced in clear weather.

In the immediate neighbourhood much amusement exists for the curious, to say nothing of the Traditionary Legends, the Iron mines, Shrawuk Temple, the extensive ruins of the City of Champaneer, and those of the Chumpawutee and Nugeenu Musjed in the Jungles, which, from its elaborate workmanship, indicates a former state of great magnificence.

To the sportsman there is every inducement for a trip to these Hills. Game of every description abounds. From the Gyal, Hog, Bear, Sambur, the red and spotted deer, to Jungle and speer fowl, painted Partridge, and Ortolan, in the vicinity of the lake almost every kind of water fowl is to be found in its season.

E.

* Instance the appeals that have been made to their sympathy for a sanatarium at Domus, or some consideration for the many unfortunates who crowd that port in the sickly season.

SUPREME COURT.

Trial of Mahomet bin Suggur for Piracy lately committed in the Persian Gulf.

This case came on before Sir John Awdry on the 6th instant, and the Indictment contained three Counts.

1st Count.

That *Mahomed bin Suggur*, on the 25th March 1835, with force and arms, upon the high seas, distant about 2 leagues from the Island of Henian in the East Indies, and within the admiralty Jurisdiction of the Court, did piratically and feloniously set upon, board, break, and enter a certain Bugalow called the Deriah Dowlut, then being the property of one Hajee Mahomed Alli Suffer, a subject of our Lord the now King, and then and there did piratically and feloniously assault certain mariners in the same Bugalow then and there being, and did put them in great bodily fear and danger of their lives: and did piratically take and run away with certain property then under the care, custody, and possession of the said mariners, and which property belonged to the said Haji Mahomed Ali Suffer.

2d. Count. For piratically stealing goods of the value of Rs. 2000 then in and on board the same Bugalow the property of one Abbas bin Abdul Kurrem, and under the care and in the custody and possession of the said mariners.

The Advocate General opened the case by giving an outline of the particulars detailed in the evidence, when he called

Abbaz bin Abdul Kurreem, who gave the following evidence. I am a Merchant. I made a voyage from Bombay to Bushire about 10 months ago on board the Buggalow Deriah Dowlut. There was a Naqueda, Passengers, Merchants, and several others on board.

Q. Did any thing in particular happen on the voyage.

A. Yes.

Q. At what part of the voyage was that.

A. When we left the port of Bunder Abas for the Island of Huneya. We had then been at sea about 22 days. We saw 4 vessels about 9 o'clock in the morning, The land was then in sight. These vessels, when we saw them first, were near the Port of Huneya and were at anchor.

Q. How far from the shore were you when you saw them.

A. I could distinguish the large from the small vessels.

Q. Was your vessel then under sail.

A. Yes—we were in this situation for about an hour, when we saw them hoist their sails. The Naqudah was looking at those vessels thro' a telescope. We found they were coming after us. We passed their vessels, and they afterwards followed. They soon overtook us, and when they came near they ordered us to lower down our sail. Our Naqudah said we shall not do so, why should we? We are going on our way, this conversation took place with the smallest vessel. They then said, if you will not do so, you must prepare yourself for battle. The Naquedah said we are not disposed for fighting, —we sail under the English flag, and you must not interfere with us. The English flag was then flying at the mast head. I knew it to be the English flag as I have seen it flying at the mast head of the English Government Ships. They then said, do not be afraid of us, we are friends of the Government. On their informing us of this we were satisfied, and we lowered down our sails. The Naquedah then desired one of our men to lower down the Jolly Boat and go to the Bugalow and show our pass. The Boat was lowered, and the pass was sent to them. I saw the pass shown them. They tore it in pieces and threw it into the sea. Afterwards the large Bugalow came along side our ship. All persons on board her had swords and spears in their hands. There were about 200 persons on board her. Our vessel was larger than theirs. Those person then rushed into our Bugalow, and ordered us to deliver up our clothes to them, and I throw ourselves into the sea. We through fear delivered up all our clothes to them. Then we heard them desire one of our passengers who was a Nawaub to deliver up his clothes. He refused to do so, and they immediately gave him a blow with a sword on the shoulder. The Nuwaub fell down and they then gave him several other blows with daggers and spears. When the Nuwaub received three or four wounds he threw himself into the sea. When I saw the Nuwaub do so, I immediately, thro' fear, did the same. When I was in the sea, I saw the Naquedah, passengers, and crew also had thrown themselves into the sea. At this time I saw the Nuwaub swimming about, and after about a quarter of an hour he was drowned. We all were also swimming about. I went towards the Naquedah and said we must try to gain the shore. We swam some short distance but we got fatigued. I then recommended that we should return towards the Buggalow. As we neared the Buggalow one of the Arabs who was standing on the forecastle told us, "you are deserters, why do you come here, go away". and he fired at us with a musket. The Naquedah was wounded by the shot. He then called for assistance and I and another went to him, and we both held him by the arms. As we again approached the vessel, an Arab said, "we will forgive you, come into the Buggalow." On this some of us went into their vessel, others into our own vessel. I and the Naquedah went into the Ship of the Arabs. About 15 persons altogetner went into her. I was in the water about 3 quarters of an hour or an hour. When we got on board the Arab's ship we saw them go to our Ship and take out goods and bring them to their own. The goods were chintz, long cloths, piece goods, and others. The Arabs on board the Snip pointed out a man on board to us, and said "he is our chief man, you must go and kiss his hand" On which I asked him the name of his chief man, and they said his name was Mahomed bin Suggur. This man was then in the cabin. He could not hear what was said. Several of our men were wounded aad could not get up, and we said "the Shaik should come to us."—At this time the Shaik came up on the poop where we were. On his approach all the Arabs said "here is our Shaik." The person pointed out as such was quite close and could hear. We, thro' fear, went up and kissed his hand. The person whose hand we had so kissed then assured us that "we will not kill you nor plunder your property," saying "what is done is done"—The goods brought from our Ship were then lying about the deck of the Arab Ship. An order was then given to hoist the sail of the ship. About 60 or 70 persons from the Arab ship went on board our ship with swords and other instruments, and hoisted up her sails. We then asked where they were going to take us, when they said we shall put you ashore on an Island. We then sailed in company with the fleet. After a day and night's sailing we came in sight of an Island, and about 80 persons were landed in a Boat from the Dariah Dowlut. A Boat came to the snip on which we were, and we were put into it, and sent ashore. We requested a Boat to be left with us as there were no provisions on the Island, but they would not give it, saying there was water to be found on the Island. They then said we shall give you a Boat and 2 Robins of Rice, and you can go where you like. They gave us the rice and some dates and told us to go. We then left the Arabs, and landed on an Island called Tum. The 80 persons who landed on the Island were all belonging to the Dariah Dowlut. Some were of the Crew and some were passengers. All the vessels then sailed away.

Q. During the time you were on board the Arab ship did you see the man whose hand you kissed, after you had kissed it?

A. I did often.

Q. Did he conduct himself in any manner as to attract you attention more than any of the others.

A. He was controling the Ship and men.

Q. Would you know him if you saw him again

A. I would.

Q. Look round the Court, and see if there be any person now near you like him.

A. Yes, the prisoner at the bar is the man.

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Q. Where did you go from the Island of Tum.

A. We went to Bassadore, and were one night on the way. We went to the Commodore there, I dont know his name. He is a European, and is dead since. I arrived in Bombay about 3 months ago.

Q. How many men were on board when you left Bombay.

A. There were 80 passengers, 55 Crew, and Naquedah, altogether about 130 or 135 persons.

Q. How many persons were landed at the Island Tum.

A. About 100 persons.

Q. You told us you were a merchant. Had you any goods on board the Deriah Dowlut?

A. I had, and they were of the value of about 2000 Rupees.

Cross examined by Mr. Roper. but the evidence not affected by the answers given.

Examined by the Court.

Q. Under whose charge were your goods ?

A. Under my own. I had them in a Box.

TWO of the sailors who were on board the Deriah Dowlet gave evidence confirmatory of that given by the preceding witness. They both identified the prisoner as being the leader of the pirates.

Hajee Mahomed Alli Suffur.

Had been for about 40 years trading to and from Bombay. Had resided in Bombay for the last 13 years. Is the sole owner of the Buggalow Deriah Dowlat.

Lieut. Kempthorne I. N. examined.

I was employed in April last on board the Amherst in the Persian Gulf as 2d. Lieut. About the end of April, the vessel was on the Coast of Arabia. Aboth-a-bee is on the Coast of Arabia. I recollect the Shaik of that place coming on board our Ship and delivering up to us 2 prisoners. The arms those prisoners carried were taken from them, and the Prisoners placed in confinement. The prisoners were Arabs. They were taken from that place to Bassadore. I recollect seeing them afterwards on board the Elphinstone in Bombay Harbor. I fell sick and came by the Elphinstone to Bombay as passenger. I think I would know those prisoners if I saw them again. The prisoner is one of them. I did not know the reason of their being made prisoners, but believed it was for some offence committed by them or their tribes in making war. I did not know properly what was the cause.

Commander *John Sawyer I. N.*

I commanded the Elphinstone in May last. There came two Arabs as passengers with me to Bombay. They were placed on board by order of Capt. Pepper, Senior officer in the Gulf at that time. The prisoner is one of them. I brought the two to Bombay and gave them over to the Police.

This closed the evidence for the prosecution.

No evidence was offered in defence.

Mr. *Roper* took objections to the Indictment on two or three grounds,—that of the jurisdiction of the Court over the Criminal and the offence committed by him,—that of the Indictment not avering that the parties to whom the Vessel and goods belonged, or the Mariners who sailed the Vessel, were in the peace of "our Lord the King," and the parties prosecutors therefore not being entitled to the protection of the British; and another objection to which much weight did not seem to be attached.

As a defence, the remark made by Lieutenant Kempthorne was noticed as showing the possibility of the attack for which the prisoner was now on his trial, having been made by authority of the Chief of the tribe to which the Prisoner belonged, and if made under such authority, that the act charged was not a piratical act, but one of hostility by that tribe against the State to which the mariners of the Deriah Dowlet owed allegiance. And it was urged that the Prisoner being a shaik or Chief, might, as such, have the power of ordering or leading in such acts of hostility, without being amenable to a Court of law, or chargeable with the crime of Piracy.

Sir John Awdry reserved consideration of some of these points (chiefly, that of the Jurisdiction of the Court over the Criminal) and, in alluding to the averment in the 2nd Count.—that the goods of Abbas bin Abdul Kurreem were "under the care and in the custody and possession of the said mariners", and to the evidence given by that witness that the goods were under his own charge, His Lordship pointed out to the Jury that that Count could not be sustained, as the evidence shewed that the goods were in the careand custody of the witness himself, and *not* of the mariners as averred.

With regard to that portion of the Defence which related to the crime being an act of hostility, and *not* piracy, his Lordship, while admitting that the power to order acts of hostility to be committed might be in those chiefs, as chiefs, stated, that it was incumbent on the Prisoner to prove that any such order or authority had been given, and that the act complained of had been committed under such order. No proof of the kind had been offered, and it remained therefore for the Jury to judge under all the circumstances, whether the acts charged against the Prisoner were piratical or not.

His Lordship them summed up the evidence, and the Jury immediately returned a verdict of "Guilty."

On Wednesday the 9th, the Prisoner was placed at the Bar, when His Lordship passed the sentence of death on him, but respited it until the pleasure of His Majesty is known.

ACCIDENT.

ON Monday last about noon a female child about a year old was drowned in a Tank in an Oart called "Dicks Oart," Byculiah Road, and though assistance was promptly rendered, the Body was not found till the following day.

It appeared that the mother had gone to the Tank with the child and an elder daughter, and had laid the child down behind her while she was engaged in washing some cloth at the edge of the Tank, and that the child in crawling about, accidentally tumbled in; the elder daughter, about twelve or thirteen years of age, who was near, very heroically jumped in to endeavour to save her sister and was fortunately extricated by some persons who had come to the Tank, catching hold of her.

DOMESTIC OCCURRENCE.

BIRTH.

At Girgaum, on the 7th instant Mrs. W. Turner, of a daughter.

MILITARY ARRIVALS, &c.

ARRIVALS.

Assist. Surgeon Wm. J. Ferrar, from Europe.

Lieut. J. M. Macdonald, 1st M. Cavy. from England.

Surgeon A. Graham, from England.

Lieut. J. M. Schnell, H. M. 6th Regt. from Deckan.

Ensign Wm. T. Cormuck, 15th Regt. from Cutch.

DEPARTURES.

2d Lieut. G. K. Bell, artillery, to Neilgherries!

Lieut. Col. J. Sherriff, E. Infy. to Poonah.

Captain Alexr. C. Peat, Engrs. to Belgaum.

SHIPPING REPORT.

ARRIVALS.

Dec. 9th,—Ship Huddersfield, E. Noaks Master, from Liverpool via Rio de Janeiro left Liverpool 24th June, Rio de Janeiro, 11th Sept. and Cochin 2d Dec.

Passengers,—Revd. Mr. and Mrs. Fzrie, Missionaries, Miss Fzrie, A. Graham, Surgeon, Col. Pacheco Brazilian Consul General, A Chaves Esq. Brazilian, Portuguese, and Salvador servant.

10th,—Ship Cashmere, Merchant, R. Edwards, Master from Calcutta, Sand Head, 17th Nov.

Passengers,—Mrs. R. Lloyd, and two children, A Colvin Esq. Merchant.

11th,—The E. I. C. Cutter, Nurbadah, Lieut. T. G. Carless, in charge to River Indus 30th Nov.

Passengers,—Mr. Whithard, 15 Regt.

DEPARTURES.

Dec. 8th,—Ship John Adam, J. Roche, Master, to Calcutta.

Passengers,—Mrs. Roche, and 2 Natives.

10th—Barque Emma, S. D. Hudson, Master to Cork.

Passengers,—Mr. Richard Walker, Mr. J. N. Rooke.

HIGH WATER TABLE.

Dec. 1835.	A. M.	P. M.
12th Saturday	4 26	5 38
13th Sunday	6 21	6 49
14th Monday	7 17	7 45
15th Tuesday	8 13	8 41

THE GAZETTE.

SATURDAY, DECEMBER 12, 1835.

THE arrivals since our last, have been the Ship *Huddersfield*, E. Noakes, Master, from Liverpool 24th June, Rio-de-Janeiro, 11th September. and Cochin 2d December: Ship *Cashmere Merchant*, R. Edwards, Master, from Calcutta, left Sand-heads 17th Ultimo; and the H. C. Cutter *Nerbudda*, Lieut. T. G. Carless, in charge, from River Indus 30th ult:—The Passengers by these vessels will be found under the usual head.

THE *Nerbudda* Cutter from the river Indus arrived here yesterday. We understand Dr. Heddle was left at Hydrabad. The Nerbudda, we hear, could not get up the river notwithstanding she had taken out her iron kentledge. The little Steamer was left in the river, and she had to use wood for fuel long before she could reach her destination.

It is also said that Col. Pottinger is now sick, and is coming to Bombay in one of the Company's Pattimars.

A CORRESPONDENT from *Bhooj*, who signs himself *Humanitas*, has called our attention to the neglect, or carelessness, or to what ever other cause the scanty supply of medicines in that portion of the country, is to be attributed. His letter is too long for insertion, and contains a good deal that would be of no use, were it published.

As regards the small supply of medicine, and the necessity for a larger, he thus speaks:

"You have doubtless heard how severely we have suffered from fever both this and last year, (scarcely a soul, European or native, having escaped its ravages at one part or other of the season)—but you may not possibly have heard that we were for the greatest part of both seasons without a grain or dose of the most requisite medicines, particularly quinine,—the great and only sure antidote to the disease which has levelled our ranks so fearfully. When the first alarm of want of these medicines was given, we were informed that *the Superintending Surgeon was in Bombay*; and consequently *great delay* would be experienced in producing them as he had first to countersign the Indent.

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Never were prophetic words more true—We had to wait not days but months. Well, when the supply did arrive, it was so small and inadequate, that it was all expended in less than a month; and here we are again and have been for a considerable period left without a single grain of quinine in particular, although the sickness is scarcely abated. I will not here enquire into the conduct of the local medical staff (as this belongs to another tribunal) but I am bound in justice to say that one of the medical gentlemen did his utmost, and his hospital was, and is not scarcely better served with medicines, than the other."

Our correspondent next recommends that instructions be given by Government to the medical Board that "a stock of the most important medicines be provided at stations of difficult access in the monsoons before it's setting in, that will last throughout the worst season that can possibly be contemplated; and if that stock fails, let Regimental and other Medical practitioners be authorised to draw requisitions "on honor" if necessary, on the several store keepers when times of emergency call for it; and let the storekeepers be authorised to send such medicines by post under their franks." We have no doubt the members of the Medical Board will at once feel it their duty to inquire into the complaint made by our Correspondent as to the scanty supply of Medicine, and lose no time in adopting the means of remedy. It need scarcely be said that the diseases of the provinces show no disposition to tarry in their course until Medicine is procured from a distance.

OUR Correspondent "BOTH SIDES OF THE STORY" takes a very proper view of his subject, but how is the difficulty, under present arrangements, to be obviated? The delay which would take place by a reference to an individual who is stationed a thousand miles from the spot where the Court Martial is held, would be a source of the greatest mischief,—in many cases even of more than what may be expected to follow from the disposal of the case by an individual who has, in effect, prejudged it by sanctioning the charges.

The duties of a Commander in Chief, in exercising a discretion as to the disposal of Charges which are sent to him, and in appointing or not those charges to be tried by a Court Martial, remind us of the duties of the Lord Advocate of Scotland. To him is submitted such evidence as the local authorities can collect bearing on the offence charged, and on the individual supposed to be concerned in it, and it is for him to determine on such evidence whether the supposed criminal is to be put on his trial or not. But there the parralell stops. The moment the case goes into Court, the Lord Advocate has nothing further to do with its disposal. Such an anomaly could not be permitted as the making him a necessary party in the judging of the case. He has already judged,—or rather prejudged it, as he has come to his conclusions as to the probable guilt of the individual, from exparte evidence. The Commander in Chief in effect does the same, and for that reason is he not a fit person to be the approving or controlling authority. The fact of evidence for the defence being received by the Court, and that that evidence also goes before the Commander in Chief at the time he is called on to review the sentence of the Court, is not enough to remove the idea that his mind may be influenced by the bias which the part he took in the proceedings is likely to have created.

IN our columns of to-day will be found a report of the trial of *Mahomed bin Suggur* for an act of *Piracy* committed by him some short time ago in the *Persian Gulf*. This Mahomet is supposed to have been the leader of the Pirate fleet with which the Company's Cruizer *Elphinstone* met sometime ago in those seas. The circumstances detailed in the evidence given on the trial, with those which occurred at the time the *Elphinstone* met them, shew this Pirate and his followers to have been a set of cold blooded, desperate, and daring characters. It will be recollected that they had all but attempted to take the *Elphinstone* by boarding, but the shot from that vessel so thinned their crew, and marred their scheme of operations, that they were compelled to look to their own safety.

It would appear from the evidence that a Bugalow named the *Deriah Dowlut*, the property of a person resident in Bombay, had, about ten months ago, been chartered in Bombay for a voyage to Bushire. The Bugalow accordingly proceeded on her voyage, carrying a cargo of piece goods and other merchandize, and sailing under the English Flag. As they were off the port of Huneya four vessels were seen sailing towards her, and as they approached, they ordered the *Deriah Dowlat's* sails to be lowered, and her pass sent on board. Thereafter they plundered the vessel, murdered a Nuwab who was a passenger on board, and also several other persons, and either ordered the rest to walk overboard, or these latter persons did so from fear of suffering the fate they saw the Nuwaub and others do. What further happened will be seen from the Report of the trial.

But two of the objections taken by the Counsel for the Prisoner appear to be of sufficient importance to demand a more full notice.

The first objection was (if we understood rightly) the want of Jurisdiction on the part of the Court to try the prisoner, the Admiralty Jurisdiction of the Court not extending to the Persian Gulf where the Prisoner's Country is—where the offence was committed,—and where, subsequently, he was delivered up.

The second objection was, that the Prisoner owed no allegiance to us;—that the prosecutors were not alleged to be "in the peace of our Lord the King," and that therefore the latter had no claim on our protection, while the former was not amenable to us for his acts towards individuals or property over which we had no right of control.

These may not be the objections literally as they were put, but we believe they are essentially correct.

With regard to the first objection,—that of the Admiralty Jurisdiction of the Court, as it is a point on which we have heard several opinions expressed, and several doubts started, it may not be uninteresting for us to attempt to ascertain the extent of that jurisdiction, and to trace the source from whence it sprung. For that purpose we must go back as far as the reign of Henry 8th when an act was passed whereby it was directed that "all treasons, felonies, "robberies, and murders, committed on the "*seas* should be enquired into according to the "course of the laws of *the land* used for such "offences."—That act seems to have been among the first framed in England for the especial purpose of bringing piracy within the pale of the criminal law, and rendering its authors subject to criminal infliction.

The next we observe is the act 11 William 3rd, entitled "an act for the more effectual suppression of Piracy," whereby it is enacted that all piracies, &c. committed on the sea where the Admiral has power, or authority, or jurisdiction, may be tried and adjudged in any place at sea, or upon the land, in any of His Majesty's Islands, plantations, colonies, &c., to be appointed for that purpose by the king's commission, and according to the rules of the civil law.

The next act we come to is the 46th Geo. 3rd which recites the two foregoing acts, and then recites that treasons, murders, and divers other felonies, &c., committed in the East or West Indies and in places very remote, could only be tried by sending the parties to England to be tried, by which means great delay and expence were incurred, and as a remedy, and in order that one uniform course of trial might be had for all treasons, piracies, &c. committed upon the seas, it enacts that all treasons, piracies, &c., "committed upon the sea where the "admiral has power, authority, or jurisdiction, "may be tried and adjudged in any of His Ma-"jesty's Islands, plantations, colonies, domi-"nions, forts, or factories under and by virtue "of the King's Commission;" and it further enacts that "all persons convicted of any of "the said offences to be tried under it shall be "subject and liable to and shall suffer the same "pains &c. as, under any laws then in force, "persons convicted in England would be sub-"ject and liable to."

But doubts having arisen as to whether the "East Indies" came properly within the distinction "Colonies" &ca, an act was passed in the 53d year of Geo. 3rd, which, after reciting that the courts established by the Company had no jurisdiction over crimes maritime, and doubts having been entertained whether the admiralty jurisdiction of His Majesty's Courts at Calcutta Madras, and Bombay, extended to any persons but those who were amenable to their ordinary jurisdiction, by reason whereof failures of justice arose, enacts that "it shall and may be lawful "for His Majesty's Courts at Calcutta, Ma-"dras, and Bombay, exercising Admiralty ju-"risdiction, to take cognizance of all crimes "perpetrated on the high seas *by any person or* "*persons whatsoever*, in as full and ample a man-"ner as any other Court of Admiralty Juris-"diction established by His Majesty's autho-"rity in any Colony or settlement whatsoever "belonging to the Crown of the United King-"dom."

Thus we see that the Colonies had, up to the time of the passing the act of 53 Geo. 3rd, a concurrent Jurisdiction with the Court of Admiralty at home, over cases of piracy committed on the high seas, and this power was conferred for the purpose of obviating the inconvenience arising from the delay and expence in sending home the criminals to England, and the act of 53 Geo. 3d conferred the same Jurisdiction on His Majesty's Courts in the East Indies.

But some time after the passing of the last mentioned act, the Recorder's Court (which was His Majesty's Court in Bombay at the date of the act,) was abolished, and the Supreme Court erected in its stead. To prevent the possibility of misconception as to the Jurisdiction which the Supreme Court, thus created, was to exercise, the act 4 Geo 4, under which the Patent for the new Court was granted, after reciting that it may be expedient for the better administration of justice in Bombay that a Supreme Court of Judicature should be established in the same form and with the same powers and authorities as that then subsisting "by virtue of the several acts before mentioned at *Fort William* in Bengal enacts that "it shall and may be lawful for His Majesty by Charter or Letters Patent to erect and establish a Supreme Court of Judicature at Bombay, with full power "to exercise "such civil, criminal, *admiralty*, and ec-"clesiastical jurisdiction both as to na-"tives and British subjects, and to be in-"vested with such powers and authorities for "the better administration of the same as "the said Supreme Court of Judicature at "Fort William in Bengal by virtue of any "law now in force and unrepealed, doth "consist of, is invested with, or subject to "within the said Fort William or other places "subject to or dependent on the Government "thereof."

Thus even supposing that the powers and authorities conferred on the Recorder's Court in Bombay, in conjunction with His Majesty's Courts at Calcutta and Madras, had ceased on the Recorder's Court being changed into a Supreme Court, and that those acts could not be construed as having application to a Court which was not in existence at the time

they were passed,—and that the Supreme Court here had no jurisdiction conferred on it under those acts, still the act of Geo. 4th and the charter granted in pursuance of it, remove all difficulty on these points, by placing the Supreme Court of Bombay on a footing with the Supreme Court at Bengal. It will be recollected that the latter Court was then in possession of all the jurisdiction which the several acts before mentioned could confer on it. That of Bombay, from the moment of the granting the Patent, was placed on the same footing. The patent itself, which immediately followed the act, confers on the Court, among others powers, " authorities and jurisdictions " of what kind or nature soever which by any " acts or act of Parliament may be or are directed " to be exercised by the said Court of the Re- " corder of Bombay," thus, in express terms, placing it in precisely the same position as the Court of the Recorder stood in to those acts of Parliament.

In reference to the admiralty jurisdiction of the Supreme Court, the Letters Patent contain a power " to inquire, hear, try, examine and " determine all treasons, murders, piracies " &ca. done, perpetrated, or committed upon " the *high seas*."

From all these acts and the letters Patent, we must assume that the Supreme Court of Bombay has a jurisdiction over acts of piracy committed on the high seas, whether in the Persian Gulf, or wherever else the same may be committed, or the perpetrators found, provided the parties come into our hands.

Nor does the objection as to the criminal owing no allegiance, or the owner or mariners of the vessel having no right to our protection, seem to be well grounded. A pirate is by the law looked on as an enemy to all mankind, and all mankind are enemies to him. It is the duty of one and all to hunt him down, and relieve the earth of so vile a monster. All other offences, committed under what circumstances they may, may have some grounds of palliation, some consideration to excite sympathy, and stifle the spirit of revenge, but piracy,—cold blooded, cruel, savage, demoniacal as it is in its constitution and consummation, leaves no feeling but revenge longing to be gratified, and no wish but that punishment may fall fast and in full measure on those who are guilty of it.

In all civilized countries this is the footing the pirate is placed on, and all claim a jurisdiction over him and his offence.

At the time the objection was stated Sir John Awdry referred to a case which had been tried in Calcutta in the year 1829 (if we rightly understood the remarks made) where the parties prosecutors and prisoners were both Malays,—inhabitants of an island or islands which acknowledged no European nor Christian Government,—of whom in fact little or nothing was known to the English. It would appear an English vessel had captured the aggressors, and brought them to Calcutta where they were put on their trial before the Supreme Court for piracy. An objection was taken on their behalf that the court had no jurisdiction to try the case, neither party being amenable to British law, and the parties who had been plundered having no right to claim the protection of the British. The case was proceeded in and conviction followed, but the question of jurisdiction was reserved for the consideration of His Majesty in Council. It was sent home, and the law authorities of the crown gave their opinion that the Court at Calcutta had jurisdiction.

In reference to this objection the Advocate General drew the attention of the Court to a trial for piracy which took place in England in the month of April of the year 1829. The prisoners had sailed on board a schooner called the *Presedente*, and while cruising off the coast of Africa, they attacked and seized a Portuguese vessel. On the following day the British tender, called the *Black Joke* hove in sight, and after some fighting, captured the Presidente. At the trial it was urged for the prisoners that the seizure of the Portuguese vessel was *not* an act of Piracy, their vessel being a Buenos Ayres Privateer, and they themselves commissioned officers, and otherwise acting in the service of the State of Buenos Ayres. It was contended for them that a vessel captured by another during a time of war was not an act of piracy, when the capturing vessel was commissioned by a nation regularly recognized. But it was never urged on behalf of the prisoners that they were not amenable to British authority, had the act been a piratical one. The Jury acquitted them on the ground of their belonging to a Buenos Ayres vessel commissioned by that State.

That case seems a pararell one to the one of which we are now speaking, and proves the extent and nature of the Admiralty jurisdiction of the Courts. The Buenos Ayres State owed us no allegiance, nor had the Portuguese a claim on our protection (in the sense here intended) yet the British captured the President under the idea that she was a piratical Schooner, and brought the men who navigated her to England for trial.

For these reasons we think the objections taken to the trial ought not to be sustained, nor the sentence of the law stayed.

FROM A CORRESPONDENT.

IN our publication of the 5th Instant an account was given of a man having been found with his throat cut in a most barbarous and atrocious manner, in a House occupied by many tenants, in a small street leading off from the Bhendy Bazar Road—and on the man being taken to the Native General Hospital, little hope could be entertained of his recovery, but with the care and attention paid him there, life was sustained from the 1st till the morning of the 8th Instant.

An Inquest has since been held on the Body, and a protracted and diligent investigation made into the circumstances, from which it appears that the man remained sensible nearly up to the period of his Death, and was able to make himself sufficiently understood to give the names of the *two* persons, to whose Room he had previously pointed with his finger, who committed the barbarous Act—against whom a Verdict of wilful murder was returned the Evening of Thursday last.—It was ascertained that the deceased had been in the employ of one of these persons for ten months, and lived with him and the other person, and that there had been some quarrel between the parties the previous night—

The two persons, who have absconded, are said to be alchemests, and men of a very doubtful character.

CALCUTTA.

Since we re-published the *Agra Ukbur's* abstract of the official correspondence relative to the Agra Presidency, we have been favoured with a copy of it (as printed by order of the House of Commons in June last, on the motion of Mr. Praed) which we to day insert entire.

The letter of the Governor General in Council, though lucid in point of expression, is very far from being conclusive in point of reasoning. If the Governor General be right, as to the policy of depriving the Governor of Agra of all patronage, even of the appointment of his Secretary, and of rendering his powers in political matters in effect more subordinate than those of any political agent in the country, then is his Lordship's approval of the proposition for the machinery of a separate Government clearly wrong, for in that case it must be worse than useless—as involving expense to no purpose, causing delay and multiplying correspondence,—of which, Heaven knows, we have already too much in the conduct of the Government of this country.

We are inclined to think, that his Lordship is right in holding, that it could not be wise policy to entrust the management of our frequently critical and complicated relations with the independent States surrounding Agra, and also to transfer one half the patronage of the Civil Service—to any subordinate Officer in that service, for the reasons clearly set forth in the letter of his Lordship; but these very reasons lead directly to the conclusion against the establishment of any separate Government, for no objection could be urged against entrusting to a Lieutenant Governor of Bengal or mere political agent the very limited powers which his Lordship proposed to confer on the Governor of Agra, to whom he would not allow the appointment of his own Secretary!

If we may judge from the tenor of several of his Lordship's communications official, and non official, we are justified in inferring, that there was no man in India to whom he would more readily have confided power than Sir Charles Metcalfe; and, assuredly, few men in the country, either in point of ability or experience so well merited his Lordship's confidence; but, we perceive, that in the case of the Agra Government as in all other cases, Lord William was jealous of entrusting high power to the Company's servants. For this he has been charged with being suspicious—and it has been alleged, that though honest himself, he had no faith in the honesty of others; but this we conceive to be a great mistake. Of the moral integrity of the Civil Servants, neither Lord William Bentinck nor any man who had been several years at the head of this Government, could be suspicious. Out of the whole Service during his Lordship's administration, there were not, probably half a dozen instances of dishonest conduct, we know of only three. His Lordship then could not have been so absurd as to suspect the moral integrity of the Civil Servants. The fact is he merely wisely mistrusted their firmness to resist those numerous claim of friendship among their brothers civilians the recognition of which might have often proved injurious to the public interests. We do not contend that such mistrust is justified by experience, but only that it does not constitute a suspicion of the integrity of those against whom it has operated.

The reply of the Vice President in Council, which from internal evidence we take to be entirely from Sir Charles Metcalfe's pen, is an extremely well reasoned paper, though its dignity is somewhat impaired by the expression of the writer's personal feelings at the proposed curtailment of the powers of an office which he was about to fill. Sir Charles Metcalfe had indeed, reason good to feel hurt, that it should be proposed to a public Servant of his high reputation and experience, that he should be vested with the semblance of power and responsibility, and reduced in effect to a mere cypher—the mere instrument for carrying into effect the orders of a higher authority! but, in an official reply—a State paper—the Vice-President should have argued the question without any reference to his own personal concern in the decision, and have given vent to the expressions of his wounded pride in a private remonstrance addressed to His Excellency the Governor General. This would have been surely more judicious than betraying in a public letter the influence of personal considerations to an extent that seemed to require in the concluding paragraph an awkward appeal to his Lordship's indulgence to " unguarded expressions."

Sir Charles is evidently favourable to the plan of having a separate government at Agra vested with full powers; but rather than have a mere nominal government, he prefers reuniting the Bengal and Agra Presidencies, and appointing a Civilian to relieve the Supreme Government of the Judicial and Revenue details of the Western Provinces. The latter proposition is precisely that which the home authorities had resolved on when the Tories were in power, and which we do not think it likely that their successors in office will reject. In fact it is understood that the Agra Presidency abolition Bill has passed, and we conceive that the plan of appointing a Lieutenant Governor for the Western Provinces will be immediately adopted. By this arrangement the object of relieving the Governor-General of details of management of distant provinces will be attained without the expense, delay and difficulty which even an efficient government of Agra would have involved, and the power to act in all emergencies without reference to this supreme authority might be confered on this Deputy Governor, which would render his office as politically useful as it is susceptible of being made, without the hazard of bringing our political relations with foreign states into an embarrassing situation.

From the Governor-General's letter we inferred that Sir Charles Metcalfe had been friendly to the present location of the Agra Government, but that appears not to be the case, except indeed that our present Ruler seems to prefer Allahabad as the seat of a government merely nominal except in expense, like that which now exists: but such a government he had not contemplated the establishment of, and is decidedly opposed to.

There is a curious mistake in one paragraph of the Vice President's letter; the communication is addressed to the Governor-General in Council, but in that paragraph the writer addresses the Honorable Court, " if the abolition of the Goverment of Agra be contemplated by *your* Honorable Court," &c.

The view taken by the Board of Control is the common sense view of the case, and we hope the present Ministry have adopted it.—*Bengal Hurkaru, Nov.* 20.

A POLICE REPORT.

[We do not know when we have seen an article better got *up* (as the manufacturers say) in the inventive line than the followingi story from the Police Report Department of a Philadelphia paper:]

A QUEER CUSTOMER.—"It is most amusing," said Richard Mervyn, as he relinquished the attempt to rise from the gutter at the corner of —— and ——streets—' It is really astonishing how soon this dreadful climate of America brings on old age, I shall never survive to get home and write a book about the place—never. Here I am six feet two, without my stocking, sprawling in a dirty republican gutter, without being able to help myself out of it. There's a lamp winking and blinking in my face as if it wanted to laugh. and would if it had a mouth, and a big brute of a dog just now nosed me to see whether I was good to eat. What a country!—what 'gutters! and what liquor! I only took nine smallers of whiskey, and with that and the premature old age, I verily believe I am assassinated— I' am a gone chicken!

Mr. Mervyn now clamored so loudly that assistance soon came.

" Silence there! what's the matter?"

"Matter yourself — I' m being done, or as some people say I' m doing. The march of mind has tripped, and Richard Mervyn is too deep for himself. Help me out — gentle — there. Aint I in a very pretty pickle? This is what the doctors call *gulta serena* — isn' t it?'

' When I was at school the boys would have called you a guttural.,

"They wouldn't have known much grammar, if they did. I m 'a liquid—see me drip "

" Oh! ob!' said the watch, . dont try to be funny? I know you well enough, now you' ve wiped your face. You 're the chap that lodked me up in my box once, and when I burst open the door you knocked me heels over head and legged it.'

' That's me. I did that thing. How do you like the ups and downs of pnblic life; Isu't variety charming?'

' If it wasn't that I' m a public functionary, and mus'nt give way to my feelings, I'd crack your cocoa and ease my mind by doing as I was done by. —I'll make an example of you, however, You're my prisoner. *Hally coosha* to the watch'us. That's the Dutch for being tuck up.

: Well, give us your arm. Dont be afraid of the mud Gutter mud is very wholesome. The pigs, how fat it makes 'm? and if you like fat pork, why shoulds't you like what makes pork fat? So—so—steady. Now I'll tell you all about t'other night. I was passing your box in a friendly promiscuous sort of a way? I thought you were as leep, or had run down, and I turned the key to wind you up If a watch aint wound up, it cant either keep good time, or even go'

' Well what else ?'

'Why, then I watched the box, and when you came out I boxed the watch. That's all. It grew out of my obliging disposition.'

' Ha! very obliging. Now it is my turn to wind you up, and, to do it in the same way, I'll take you before the watchmaker to be cleaned and regulated. You go too fast, but I'll put a spoke in your wheel? he'll set you by the State House and make you keep good time.

' Why, watchy, you're a wag—Why don't you say that I was a horizontal,' and that you lifted me up like a patent lever? You're awake now? but that might you wasn't up to trap, or you would have caught me. I caught a weasel asleep that time—I put fresh salt on you for once.'

To add once more to his vagaries, Mervyn now refused to walk a step further? and sitting down on the step, loudly avowed his resolution, declaring his name was not Walker.

' Whether your name is Walker or not, you must go.'

' Not without a go-cart—you can't force me to go—I'm a legal tender, and you must take me—Hav'nt I got an office, or at least a public situation here on the steps, Mr. Charley Brattlestraps. If I must go, it shall be on the yankee principle of rotation? bring me a wheel-barrow- Reform me out regularly.'

Persuasion being useless, the officer procured assistance and a wheelbarrow, in which Mervyn was placced. wAay they went.

' So we go,' said Mervyn. 'Charley's making a barrownight of me. Gently over the stones! I don't like humbers except when I get them of porte. This is the way to Wheeling—hurra! cart before the horse!'

When arrived at the watch house, Mervyn insested upon being wheeled up stairs, and styled the place a *barrounial* castle.

I'm a modest man,' said he, 'and no stairer. If I can't have a ride up, I think myself entitled to draw back'—

So saying, he attempted to escape, but not being so nimble with his feet as with his tongue, he was soon caught and lugged back, being as he said, like goldsmith's work, beautifully chased. Willing hands make short work, and, in consequence the unsavory punster was soon carried on aloft, and next morning, sober and penitent, paid his tipsy fine and his carriage hire with a doleful countenance.—*Philadelphia Sportsman.*

SUPREME COURT,—NOVEMBER 23, 1835.

IN THE MATTER OF ALEXANDER & CO.

This was an appeal from an order made by the Court for the relief of insolvent debtors in India on the petition of A. Lingham.

Counsel having been heard the case fully argued during the term, the Court this-day pronounced its decision. There being a difference on the banch, the Judges delivered their opinion *seriatim*.

MR. JUSTICE MALKIN. This was an important case of appeal from an order of the Insolvent Court, which deserved and had received the most considerate and deliberate attention, assisted by the able argument of the bar. The first question to be consi dered was whether the Insolvent Court here, un der the Act of Parliament, by which it was constituted, possessed the power of setting aside a sale made by Assignees appointed under the Act, and already concluded. In my opinion the Insolvent Acts does not convey such authority. The provisions of the 56th section of that Act must be taken to have merely a prospective operation and to be applicable to future sales only. The object of the 49th section of the same Act, is to prevent any mischiefs which might arise from too precipitate a state by the Assignees. As this is a sale effected by Assignees, upon which a question is raised involving character, it is necessary that all due attention be paid to the circumstances attending the transaction. With respect to Mr Hurry, he is perfectly free from all imputation as regards this sale; nor do I think that there is any stronger reason to impeach the integrity of the other Assignee. It appears that there were abundant reasons for selling the estate in question, and with respect to the price at with such sale was effected, it was to be taken into consideration that at the period of the actual sale, circumstances had materially varied in regard to the fluctuations of price, and the propriety of selling. The Assignees had formed their opinion, and it would appear that it was a just one, that it would be very unadvisable to make an advance for the purposes of procuring an izarah, and that it was preferable to sell rather than make such advance, whilst it was admitted that the value of the factory-almost entirely depended upon such izarah being procured—had the factories been put up to sale by public auction that that, might have induced any speculator to obtain the izarah for himself. The Asignees therefore as they were empowered were, in my opinion also justified in effecting a private sale.

The next question respects Saupin's agency comprehending the several allegations, that the purchase was fraudulent owing to his silence; that great negligence was manifested in the mode of conducting the transaction; and that considerable loss in consequence occured to the state.

As regards the question of Agency this was a transaction in my opinion between principals. The evidence of Barkin-young, which I see no reason to impeach, is distinct on this point. The expressions in Alexander's letters are not altogether reconcilable with each other; in some passages he speaks of Saupin not as an Agent for the Assignees; he elsewhere talks of his power to sell.

Burkinyoung appear himself to have thought it likely, and he does not disguese it, that Saupin might purchase with other; but I see nothing to lead me to discredit the positive assertion of Barkinyoung that when the transaction with Saupin was ended, he considered it a bargain fully confirmed. If so, and the sale was actually concluded I consider the Insolvent Court had no authority to open it. Whether or no circumstances offered attending such sale might give the Court authority, may admit of argument; but at all events if Saupin was not the Agent of the Assignees, they cannot be answerable for his fraud.

That the Assignees were fully justified in making a private sale, cannot be disputed, and nothing has been adduced to shew that under the circumstances, fifteen thousand rupees was not a good price. Whatever higher offers were made, they had not been communicated to the Assignees. Greig states that there were peculiar personal circumstances, which made it worth his and Donaldson's while to offer a higher price than other persons. The sale ought in my opinion to be regarded as a *bona fide* transaction.

Another question remains whether Burkinyoung was not guilty of negligence in not having communicated to Storm the proposal made by Saupin. If some slight imputation of negligence might arise out of this, as affecting Burkinyoung, we are to look to what possible motive he could have for fraudulent secrecy, in the transaction. He could have contemplated, and could have possibly derived no manner of advantage to himself, by sush misconduct, he must therefore in all reasonable construction of conduct, be considered as acting *bona fide*. The order appealed aganist must therefore, in my opinion, be discharged; and under all the circumstances it seems to me fitting that it be discharged with costs. The application in this case is not to very an ordinary order affecting property only, but to remove grave and serious charges agtinst character.

MR. JUSTICE,—I fully concur in the necessity of giving this case all due attention, although as thst is an appeal from a decision of mine sitting in another Court, I have thought it right to consider it alone, and without inter-communication of opinion with the other Judges of the Court, whose decision I now hear for the first time.

The importance of this case does not depend upon the amount on value of the state in quess tion, but upon those great principles which in my opinion it involves;—principles upon which depend the safety of every insolvent estate and the protection of every insolvent;—principle which are well understood and repeatedly recognised in Chancery in cases of bankruptcy, and the decisions in which, would in my opinion, be greatly shaken by the reversal of this order.

The grounds uponwhich the objections are raised to the order are ten in number.

The main argument raised was that the sale was complete and could not be cancelled,

The case of *ex parte* Montgomery cited by Mr. Cochrane, was a case depending upon the construction of the English Bankrupt law. The Indian insolvent act conveys very different powers and authority. By the 49th section of the latter an express power is given to control and regulate sales of the estate and effects of insolvents. This clause is in my opinion especially provided for the purpose of giving to the Indian Insolvent Court powers not possessed by the Bankruptcy Court. It meets the mischif unprovided for in Montgoe

mry's case. The powers of the Court here ar greater than the powers of the English Insolven Court; much greater than the Bankruptcy Commissioners.

With the 49th section of the act, vesting such control in the Court, every purchaser is bound to be acquainted, and must purchase with such presumed knowledge. The words of the section mention no particular time but it must be inferred its objects were to secure sufficient notice or publicity in every case of sale and to prevent secret sales in a private without third person or witness. All these circnmstances are however fealures in the present cases. Alexander avears that the property was advertised in 1833. bat it was not till ten months snbsequent to such arrangements that the sale was effected. From Janfary 1833 to August 1834, no effort was made to advertise for purchasers, no advertisement was published—no private offer made—no inquiry instituted for purchasees—the transaction was entered into and concluded at once without the presence of third parties. I held and do hold that if this transaction were a sale it was a fraud on the estate. I held and do hold that the sale was not legally completed nor was the legal property transfered, Saupin had uot been put in possession and all he conld attempt was an application to a Court of Equity for a completion of the sgreement.

As to the jurisdiction of the Court it exercised none other than a controlling authority over its own officers—it decided nothing with regard to other persons' property.

Now with respect to the character in which Saupin purchased, he was the confidential manager of thiz estate for the Assigness—in such capacity he was bound to act consistently with such confidence. Nothing but an express assent from his employers could enable him to purchase and the Assigness from their very character were incapable of giving such assent,

Saupin was agent for the creditors, the proprietors! he was paid for his services by being made a partner of a certain share of the profits. I do not see how his being placed in this position would vary his situati n. It was eqully contrary to good fat th that he should take advantage of his situation, in effecting a purchase of the property. The knowledge of the essendality of the izarah was derived from Saupin. Taking this question than on the plain and broad principle of good faith as recognized in bankruptcy, in whatever transactions a party may act as agent whether relating to manufactures, to estates, to goods—when the agent purchases for himself the sale must be set aside unless the price be ascertained to be the utmost the property will fetch.

Again Saupin was a person commissioned to sell, and in that character incapable of purchasing for himself. In *Exparte* James 8. Vesey. 337, a purchase of bankrupt's estate by the solicitor to the commission was set astde. The *Lord Chancellor* would not permit him to bid upon the resale, discharging himself from the character of solicitor withou the previous cousent of the persons interested being freely giving upon ful information. In 3 Vesey. 750, the principle is broadly laid down that he who undertakes to act for another shall not act for himself, which is merely a version of the maxim of the civil law—that *Nemopotest esse avetor in rem suam.* With respect to imputations on character, an infer ence conclusive of great negligence does not necessarily convey not did my decision recognize, an imputation against integrity. That decision certainly conveyed a sense of gross legal negligence—and that gross legal negligence was manitested in this transaction—I still retain the same opinion.

Mr. Justice Ryan thought it unnecessary to go over at length the grounds up on which the Court came to the decision upon which the order in question was reversed. The question many depended upon the construction of the 49 section of the Insolvent Act and whether under that Act the Insolvent Court had power to interfere with sales already concluded. I am clearly of opinion that this section does not convey that power and that where a sale has actually taken pace, the cirsumstances e-under which the transaction does not convey tha bower The Chancellors in bankruptey have no such power. The 49th section applies only to sales about to take plaee. The transaction resolves itself generally into a question of frand or negligence. As to frind, the absence of motive is almost sufficient answar. As to negligence, Alexander swears that he had frequent conversations with Burkinyoung on the subject of the advance on the renewal of the izarah, and that the concluding sion they came to was, that it was better to sell than to renew it. With this impressiond onBur-kinyoung's mind Saupin comes in August and renews his former offer up to wich time no higher or better offer has been made. Mr-der all these circumstances I con.ure with Un Justice Marken that this order mus be discharged with costs. In respect of those costs the creditors at large ought to be liable for an application like this unadvisedly made to this Court. The order therefore must be discharged –with costs to be paid by Mr. Lingham the pertitioning creditor.

MR. JUSTICE Grantthought it was scarcely necessary for him to express his dissent form thie award of costs by the Court

EUROPE.

THE TRUE CATHOLIC EMANCIPATION.

"I am," says Swift in one of his letters, "in a cursed, factious, oppressed, miserable country, not made so by nature, but by the slavish, hellish principles of an execrable prevailing faction in it." This, is the faction to which the Church Establishment belongs, and for whose sole benefit it is maintained with twenty thousand bayonets. This is the faction which still prevails in Ireland, and which can only be subdued by the thorough reform and remodelling of every public institution; above all. by the abatement of the Ecclesiastical nuisance, As long as the Church continues what it is, the Catholic is a slave, and the Protestant is his master. This is the way in which Mr. Shiel put the question in his admirable speech upon the motion of Sir Robert Peel; and this the way in which the Irish people ought always to regard it. The measure of Lord Morpeth is, to all intents and purposes, a second Emancipation Bill—and a second more momentous than the first. Exceedingly far short of a complete establishment of civil equality in Ireland did the act of 1829 fall. What did it accomplish but the removal of the least part of the burthens under which the nation groaned? What did it give but the right of admission to a few offices? Did it give the Catholic freedom from the Orange judge, the Orange jury, or the Orange patron? Did it emancipate him from the fetters of the corporations,——did it deliver him from the thraldom of the Church? No! it drove the public enemy from but one position, and that by no means his strongest ground; it left the public freebooter possessed of all his plunder, and in undisturbed occupation of his strongest holds. The Ascendancy remains in its worst features, with its worst influences, in all its malignity, and with the best part of its power. The Irish Catholic is still in his villeinage: his liberty has yet to be achieved, and be has more than one battle to fight, and one victory to win, before, with more propriety than the subjects of the Ottoman Porte or the Czar of the Russias, he can call himself a freeman.

When a captive is bound with a number of chains, you must break them all, or you do not liberate him. It is not enough to unshackle a hand or a foot: until both hands are free, both feet unfettered, and every ignominous and embarrassing restraint removed from his person, it is nonsense to talk of his freedom, The criminals that work in chains upon the high-roads of France have their hands loose, or they could not toil; the iron collars are enough to prove their servitude and debasement. So it is with the Irish Catholics. Shall we call them free because they have been freed from two or three restrictions—because they cease-to labour under three or four disabilities? No! the Church is upon them; and the Church, like the collar, is sufficient evidence of their state of degradation.

Let nobody look at Lord Morpeth's project as a mere plan for effecting a saving to the amount of a few thousand pounds of public money. Good as economy is, it is not as a money question we regard the plan of appropriation. Morality is more than money; freedom is more than money; too much is it the mode to view measures that embrace the largest and highest interest of humanity with the eye of the counting house. We must not consider the Church question with the spirit of Churchmen, with whom pelf is everything. It is part of the general question of the establishment of a popular Government in Ireland in the room of party despotism; it is part of the general question of the peace and the civilization of the country. All the elements of society are in confusion; order must be restored. All the bad principles are at work; their operation must be counteracted. There is discord, and it must give place to harmony: there is ignorance, and it must give place to konwledge; there is barbarism, and it must make room for refinement: in a word, there is faction, and it must bow its head to the nation. The present Ministry are engaged in no less a work than the regeneration of a people. Ireland must have a new birth. The old man, which is Orange, must be put off; and the new man, who is a citizen, must begin his existence. To accomplish so mighty an undertaking many measures are necessary; but first of all the Church must be divested of its unhallowed wealth and splendor. Ireland is Catholic and poor; the Church is Protestant and rich; these two positions must be had in constant remembrance. The Church may destroy itself, or the foolish obstinacy of the Lords may bring destruction upon it; but instead of predicting its ultimate destination, let us content ourselves with the assertion, that constituted and endowed as at present, its maintenance is an impossibility. There is a free spirit throbbing in the heart of the Irish people: if there were no such spirit already awakened, there are men who can speak trumpet-tongued to excite it. The force that overwhelmed the Duke of Wellington in 1829 is alive to overwhelm the Peerage now, should the coronet again in its folly, throw itself in the path of the nation to obstruct justice. Let the word be—Emancipation: the Establishment is worse than the penal code; and delivery from its oppressions will be better than the surly boon of the beaten conqueror of Waterloo. There is no tyrant like the Churchman; there is no tyranny like that of a State priesthood. Was there ever so degrading a yoke as the yoke of the O'Sullivans and Ryders; the drivellers of Exeter-Hall, and the homicides of Gurtroe? To be delivered from these is worth the name of Emancipation; as to be subject to these is the most galling and grinding slavery. The House of Commons has done its part; let the Irish people now do theirs; let them regard the question of the Church as a question affecting their liberty, not their pockets. Let it be regarded in the light in which Mr Shiel, with equal brilliancy and power, has placed it, in the speech to which we have already adverted, and which we again refer to as containing the true principle of Lord Morpeth's measure, and the only principle that recommends it with any emphasis to the country.

It is not for us, friends neither of Peerages nor of Church Establishments, to offer up anxious orisons for safe passage of this measure through the Upper Chamber. For this happy issue let the well-wishers of coronets and mitres pray with fervency: they cannot be too much upon their knees at the present juncture. All is over with the Establishment if the Lords say that it shall not be reduced; and great as is the unpopularity of our hereditary Solons and Numas at this present, vastly will they advance themselves in public hatred, and much will they confirm the growing distaste for their interference in public affairs, if once more upon this occasion they espouse darkness against light, and the hundreds against the millions.—*Examiner, August* 2.

THE MONIKINS.

THE probable purpose of Mr. COOPER in this new tale, might be to present the world with a profound satire on the prevailing voice of the English and American mind, as it displays itself in a restless desire for things *immoderata, incredibilia, nimis alta*, and on that false philanthropy which neglects the domestic and friendly ties under the pretence of being imbued with national and universal benevolence. He also appears, and much more clearly, to have aimed at writing a skit upon the public principles and practices of England and America, espicially as exhibited in science, politics, and manners. All this, however, is more of a conjucture than a judgement. It will, therefore, be a safer and a better course shortly to describe the framework of the *Monikins* and leave the reader to determine for himself,

Mr. Goldencalf, afterwards Sir John Goldencalf, and finally Viscount Householder, is the son of foundling found by an orange woman in the street of St. Giles and brought up and apprenticed by the parish to a dealer in fancy articles. In time he becomes his master's head shopman; is left the business and executor to boot; and marries the defunct's daughter, to whom he was appointed guardian. During his apprenticeship. young Goldencalf, was indignant on the subjects of taxation and the wrongs of America, and often shouted "Wilks and Liberty" in the public streets: but, from the time he began to earn something for himself and lay by his earnings, he was never heard to shout any more. As he advanced in life and in wealth, his opinions grew gradually more sober, until, when master of hundreds of thousands, he became an admirer of judicious taxation, an advocate of a strong government and of the protection of property, and took a very different view of the masses to what he did when he was one of the mass—a view which many might consider harsh and selfish, but which he denominated expansive. Death, however, is a dun whom there is no putting off—he had taken the wife; and, in despite of the millions which John Goldencalf, foundling and esquire, had accumulated, and acquired upon the Stock Exchange, he called upon the millionaire himself.

His son, the eventual Viscount, is left sole possessor of the property. His first step is to buy a borough, and become a Member; on the strength of which, and with the additional recommendation of returning a Cabinet Minister for the spare seat, he is made a baronet. After his mother's death, he had been, at her particular desire, educated in the family of Dr. Etherington; and, of course, falls in love with his daughter: the affection is reciprocal; and his new title and enormous wealth will, he thinks, be sufficient to overcome the rather aristocratical prejudices of the worthy divine, and common sense at least would have induced him to make the trial. But no; the remembrance of his father's isolated life and solitary deathbed determine him not to limit his affections to one person, but to expand them over many. He buys negroes and plantations, boroughs and estates; embarks in manufactures, and in many other things; until, at Paris, he meets with an American sealer, Noah Poke, and purchases four monkies, in whom he discovers the faculty of speech, With the philosopher of the party, Dr. Reasono, he has many discussions; but the upshort is, that Sir John Goldencalf charters a vessel, and sails for *Monikin* land, which lies within the Southern Polar basin, beyond the walls of ice, that are penetrable only though certain chinks. Reaching the country of the Monikins in safety, they land without adventure at Leaphigh (England), and attend a meeting of *savans* and of the public, who assemble in large numbers upon the occasion. Dr. Reasono exhibits a practical proof of the different lights in which we look at ourselves from those in which others view us, by the account he gives of his travels. He states that he voluntarily went for the benefit of science with the sealers. who carried of him and his party; he represents the Savoyards from whom Sir John had purchased him as guides he had hired; and finally, he introduces the cabineboy Smut as heir apparent to the King of Great Britain (sent to improve himself by travelling under the Doctor), Noah Poke as Lord High Admiral, the ship's crew as post-captains, and his benefactor, Goldencalf, as a tutor to the young prince. Upon this the party go to court; where Noah Poke inadvertently commits high treason, but is saved by the niceties of the law and the skill of his,awyer. The seaman thoroughly frightened, determines to leave Leaphigh; and having made the acquaintance of two natives of Leaplow (America', they proceed thither with a cargo of such commodities as "Opinions on the state of manners and society in Lcaplow." They are naturalized as soon as they reach a sort of low-water-mark; and are put up for and elected members of the Assembly, called Legion and nicknamed Bobees (Congress), before they land. After passing through many adventures, bearing a part in many discussions and making several speeches, Poke, in a longing for animal food, kills and cooks one of his Monikin friends' and invites his brother senator to the repast. When Goldencalf has satisfied his appetite, he is struck by the sight of the uneaten head; the shock a wakes him from the delirium of a fever and recovering at ths same time from his expansion mania or social stake system, he marries his Anna, and is created Viscount House-holder.

Had this outline been well filled up, a work of considerable power and use might have been produced: but (though we scarcely agree with some of our contemporaries in the sweeping censure they have passed upon it) the *Monikins* is certainly a failure. The early life of the hero's father, which afforded room for shrewd remarks, interesting changes, and humorous, scenes and characters, displays the grossest ignorance of life, and exhibits the exaggeration without the amusement of a caricature. Censure equally strong may be applied to the deathbed scene, and to the whole conduct of young Goldencalf; whilst the discussions at Paris between himself and Dr. Reasono are dull and wearisome to the last degree. When they set out on their voyage, however, the work brightens up a little; the approach to the wall of ice—the manner in which they coast along it, with the comfortable certainty that to claw-off is impossible, and that they must shortly go to pieces upon it if no opening is found—remind one of COOPER'S earlier sea-scenes. The easy, polished indifference with which Lord Chatterino, notwithstanding his obligations, treats, Goldencalf and Poke, when he meets them for the first time at Leaphigh, is well hit off; the whole of Dr. Reasono's lecture is a happy parody, but rather overdone; and many of the points in the subsequent scenes are well made, though far too diffuse in the execution; whilst the allegories are sometimes too remote for ready application. The merits of this part, in short, are lightness and point, the defects, want of strength and of matter.

For these reasons, as well as from the difficulty of readily entering into the spirit of the work when disjointedly presented to the mind, it is not very easy to choose independent extracts. One of the most manageable is the following hit at American diplomacy. The Brigadier is a Leaplow lawyer, who is according to custom, travelling under a military title; and Judge People's Friend is the Ambassador—

I now began seriously to think of sailing for Leaplow; for I confess I was heartily tired of being thought the governor of his Royal Highness Prince Bob, and pined to be restored once more to my proper place in society. I was the more incited to make the change, by the representations of the Brigadier, who assured me that it was sufficient to come from foreing parts to be esteemed a nobleman in Leaplow, and that I need not apprehend in his country any of the ill treatment I had received in the one in which I now was. After talking over the matter, therefore, in a familiar way, we determined to repair at one to the Leaplow legation, in order to ask for our passports, and to offer, at the same time, to carry any despatches that Judge People's Friend might have prepared for his government; if being the custom of the Leaplowers to trust to these godsends in carrying on their diplamatic correspondence.

We found the judge in undress; and a very different figure he cut, certainly, from that which he made when I saw him the previous night at court. Then he was all *queue*; now

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he was sail *bob*. He seemed glad to see us, however, and quite delig..ted when I told him of the intention to sail for Leaplow as soon as the wind served. He instantly asked for a passage for himself, with Republican simplicity.

There was to be another turn of the great and little wheels, he said, and it was quite important to himself to be on the spot; for, although every thing was, beyond all question, managed with perfect Republican propriety, yet, somehow—and yet he did not know exactly how, but *somehow*—those who are on the spot always get the best prizes.

The passage is cheerfully granted, and time allowed the Judge to step into the streets to hunt up a Chargè d'Affaires. Several refused it, but at last a travelling Leaplower is luckily found to whom these parting instructions are given. It would seem that neglect of individuals is not the sin of English diplomatists only—

" You are on all occasions," he said, " to take the utmost care not to offend the court of Leaphigh, or the meanest of the courtiers, by advancing any of our peculiar opinions, all of which, beyond dispute, you have at your finger-ends. On this score you are to be so particular, that you may, even in your own peron, *protempore*; abandon Republicanism—yea, sacred Republicanism itself! —knowing that it can easily be resumed on your re turn home again. You are to remember there is nothing so undiplomatic, or even vulgar, as to have an opinion on any subject, unless it should be the opinion of the persons you may happen to be in company with; and, as we have the reputation of possessing that quality in an eminent degree every where but at home, take especial heed to eschew vulgarity—if you can. You will have the greatest care, also to wear the shortest bob in all your private, and the longest tail in all your public relations; this being one of the most important of the celebrated checks and balances of our government. Our institutions being expressly formed by the mass, for the particular benefit of all, you will be excessively careful not to let the claims of any one citizen, or even any set of citizens, interfere with that harmony which it is so necessary, for the purposes of trade, to maintain with all foreign courts; which courts being accustomed themselves to consider the subjects as cattle, to be worked in the traces of the state, are singularly restive when they hear of any individual being made of so much importance. Should any Leaplower become troublesome on this score give him a bad name at once; and in order to effect that object with your own single-minded and right-loving countrymen, swear that he is a disorganizer, and, my life on it, both public opinions at home will sustain you; for there is nothing on which our public opinions agree so well as the absolute deference which they pay to foreign public opinions,—and this the more especially in all matters that are likely to affect profits, by deranging commerce. You will, above all things, make it a point to be in constant relations with some of the readiest paragraph-writers of the newspapers, in order to see that facts are properly stated at home. * * *

" Above all things, you will be patriotic and Republican; avoiding the least vindication of your country and its institutions, and satisfying yourfelf with saying that the latter are, at least well suited to the former. If you should say this in a way to leave the impression on your hearers that you think the former fitted for nothing else, it will be particularly agreeable and thoroughly Republican, and most eminently modest and praiseworthy. You will find the diplomatic agents of all other states sensitive on the point of their peculiar political usages, and prompt to defend them; but this is a weakness you will rigidly abstain from imitating.—for our policy being exclusively based on reason, you are to show a dignified confidence in the potency of that foundamental principle, nor in any way leason the high character that reason already enjoys, by giving any one cause to suspect you think reason is not fully able to take care of itself.—*Spectator*,

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The unfortunate Polish exiles have been showing their gratitude for English hospitality by the only means in their power, in instructing gratuitously a number of children in the French, German, and Polish languages. The school (at No. 4, Gerrard Street, Soho) has now been established a year, and numbers eighty scholars, whose progress testifies to the learning and diligence of the teachers. Hitherto the school has been supported by the poor refugees alone; but their resources are becoming exhausted, and while the pupils are increasing their means are diminishing. Some members of the Polish Association, desirous of promoting the continuance of the school, have subscribed in aid of its funds, and invite the cooperation of all who have the cause of charity and education at heart. We hope their appeal and example will prove efficacious. Donations, or annual subscriptions, whether in pounds or shillings, are earnestly solicited.

The annual meeting of scientific men in Germany will be held this year at Bonn, and will begin on the 18th of September. It will last about a week, and is expected to be numerously attended both by German and foreign *savans*. A society has been formed at Bonn to make arrangements for the accommodation of strangers, and to provide rooms at a moderate charge for those who may attend the meeting.

A sister of Madame Malibran has just made her appearance at Leghorn, in the *Somnambula*; " and great (says one of the critics) as were the expectations entertained of Malibran's sister, she surpassed them all. She went through the whole part with immense power and skill, and the applause she met with was no more than she deserved." Her name is Madame Ruiz,—*The Sxpectator*.

DR. URE'S PHILOSOPHY OF MANUFACTUERS.

HAVING been employed for a quarter of a century in expoundi..g " to practical men as well as to youth, the application of mechanical and chemical science to the (useful) arts," Dr. URE, at the instance of many of his pupils, thought of writing a " systematic account of their principles and processes." He was about to make a manufacturing tour of inspection, with the view of verifying his old knowledge and acquiring new, when the Government requested him to undertake a series of experiments on sugar-refining. The object, as some of our readers may remember, was to ascertain what proportion the refined bore to the raw commodity, in order to fix upon the proper drawback to be allowed, and to decide upon the possibility of permitting sugar to be refined in bond without the risk of subjecting the revenue to fraud. This difficult task occupied him longer and strained his energies more severely than he anticipated; and it left him in poor bodily condition. To improve his helth, travelling and " light intellectual exercise " were recommended: so he set out on a tour through the manufacturing districts, gathering at the same time health and materials for his undertaking.

This, in its fullest extent, is intended to embrace a detailed and practically minute description of our principal manufactures. The volume before us is introductory to the main subject whose general principles it professes to expound. In the first book, the author takes a view of manufacturing industry; briefly tracing its history, and more fully explaining its uses and benefits both to the manufacturer and the public. He next arranges manufactures under the two great divisions of Mechanical and Chemical, according to the action which is employed in their production: and minutely su divides them in clases according to the mecnanical means empioyed, or the chemical substance whose nature is to be changed. His last subject in this book is the topography and statistics of our system; the former involving an inquiry into the nutural or accidental causes which contributed to establish a particular manufacture in certain districts the latter displaying a curious and elaborate analysis of the population of Great Britain in reference to their employments. The second book contains an exposition of the scientific conomy of the Eactory System; the word Factory* being limited so as to exclude all save the textile trades of cotton, wool, flax, and silk; the nature of eac.. of which substances is minutely examined, and the examination followed by a general description of the operations employed in the manufacture. The third book treats of the mora leconomy of the system; instituting a comparison between the condition of the factory operatives as to personal comforts with that of other labouring clases, considering the extent and intensity of their labour in relation to the means of enjoyment which it can procure them, and investigating the state of their health and their moral and relegious condition; upon all which points, the facts are as conclusive and trumphant as they are gratifying. The fourth and last book is devoted to the commercial economy of our Factory System; and contains some checring statements. It appears that trade generally is in a sound state; large orders having now to be bespoke instead of being as formerly selected from stocks lying in the warehouses, There in an increasing demand in the cotton. woollen, and linen trades; failures are fewer, payments more punctual; and though there is a reduction in profit there is also a redudtion in risk, whilst the immense amount of capital in the country facilitates the execution of any undertaking, however great. This last fact, however, is a sad proof of the want of a field in which to employ our superabnodant capitial; whilst the facility of precuring it may often lead, it would seem. to wild or riskful speculations,

We trnst that we shall not be considered as undervaluing Dr. URE, when we limit his merits to a knowledge of the condition of the operatives, to a theoretical and practical acquaintance with manufactures, and to a clear though ocpasionall a pedantic manner of explaining their mysteries. Having apparently devoetd the best part of his life to the essentials of these matters, he wants the grasp of mind necessary to comprehend even his own subject in all its comnexions and reletion, so that his economical views are sometimes shortsighted, and his opinions rather one-sided. Having been engaged, too, upon a course of instruction where the matter was of more importance than the form, the Doctor's style is deficient in neatness and elegance; his manner, has somewith of awkwardness; and both in advocating his own views and impugning those of others, he has rather too much of the appearance of a partisan. In an intimate acquaintance with the *arcana* of manufactures, we understand that Dr. URE is more than equal to Mr, BAINES; but in skilful arrangement, artful digression, and elegance of narative and exposition, he is certainly inferior.

Our extracts will be chosen with two object—to give an idea of the rational of the factory system; and to indicate to the reader, that in our general summary of the contents of the work many points of interest and importance have been passed without allusion.

BENEFITS OF MACHINERY

The blessing which physico-machanical scence has bestowed on society, and the means it has still in store for amehorating the lot of mankind, have been too little dwelt upon? while on the other hand, it has been accused of lending itself to the rich capitalists as an instrument for harasing the poor, and of exacting, form the operative an accelerated rate of work. It has been said, for example, that the steam-engine now drives the power-looms with such velocity as to urge on their attendant weavers at the same rapid psce? but that the hand-weaver, not being subjected to this restless agent, can throw his shuttle and move his treddles at his convenience. There is, however,this difference in the two cases, that in the factory, every member of the loom is so adjusted, that the driving force leaves the attendant nearly nothing at all to do, certainly no muscular fatigue to sustain, while it urocures for him good, unfailing wages, besides a healthy workshop, *gratis*: whereas the non-factory weaver, having every thing to execute as muscular exertion, finds the labour irksome, makes in consequence, innumerable short pauses, separately of little account, but great when added together? earns, thesefore, proportionally low wages, while he loses his health by poor diet and the dampness of his hovel. Dr. Carbutt of Manchester says, " With regard to Sir Robert Peel's assertion a few evenings ago, that the hand-loom weavers are mostly small farmers, nothing can be a greater mistake; they live, or rather they just keep life together, in the most miserable manner, in the cellers and garrets of the town, working sixteen or eighteen hours for the merest pittance,"*

The constant aim and effect of scientific improvement in manufactures are philanthropic; as they tend to relieve the workmen either from niceties of adjustment which exhaust his mind and fatigue his eyes, or from painful repetition of effort which distort or wear out his frame. At every step of each manufacturing process described in this volume, the humanity of science will be manifest. New illustrations of this truth appear almost every day; of which a remarkable one has just come to my knowledge. In the woollen-cloth trade there is a process between carding and spinning the wool, called *slubbing*, which converts the spongy rolls, turned off from the cards, into a coutinuous length of fine porous cord. Now, though carding and spinning lie within the domain of automatic science, yet slubbing is a handicraft operation, depending on the skill of the slubber, and participating, therefore, in all his irregularities. If he be a steady, temperate man, he will conduct his business regularly, without needing to harass his juvenile assistants, who join together the series of card-rolls, and thus feed his machine; but if he be addicted to liquor, and passionate, he has it in his power to exercise a fearful dispotism over the young pieceners, in violation of the proprietors's benevolent regulations. This class of operatives, who, though inmates of factories, are not, properly speaking, factory workers, being independent of the moving power, have been the principal source of the obloquy so unsparingly cast on the cotton and other factories, in which no such capricious practices or cruelties exist. The wool-slubber when behindhand with his work, after a visit to the beer-shop, resumes his task with violence, and drives his machine at a speed beyond the power of the pieceners to accompany; and if he finds them deficient in the least point, he does not hesitate to lift up the long wooden rod from his slubbing-frame, called a billy-rol er, and beat them unmercifully. I rejoice to find that science now promises to rescue this branch of the bustness from handicraft caprice, and to place it, like the rest, under the sefeguard of automatic mechanism.

The following view of the subject is novel; but the principle involved in it requires parhaps some slight degree of modification. For regularity and uniformity of workmanship, machinery will of course always possess incomparable advantages over handicraft; but to attain the highest degree of excellence, no machine, we believe has yet been discovered capable of equalling that wonderful instrument the human hand.

When Adam Smith wrote his immortal element of economies automatic machinery being hardly known, he was properly led to regard the division of labour as the grand principle of manufacturing improvement; and he showed, in the example of pin-making, how each handicrastsman, being thereby enabled to perfect himself by practice in one point, became a quiker and cheaper workman. In each branch of manufacture he saw, that some parts were, on that principle, of easy execution, like the cutting of pin-wires into uniform lengths, and some were comparatively difficult, like the formation and fixation of their heads; and therefore he concluded that no each a workman of appropriate value and cost was naturally assigned. This appropriation forms the very essence of the division of Labour, and has been constantly made since the orgin of society. The ploughman, with powerful hand and skilful eye, has been always hired at high wages to form the furrow, and the ploughboy at low wages to lead the team. But whatwas in Dr. Smith's time a topic of useful illustration, cannot now be used without risk of misleading the public miad as to the right principle of manufacturing industry. In fact, the division, or rather adaptation of labour to the different talents of men, is little thought of in factory employment. On the contrary, wherever a process requires peculiar dexterity and steadiness of hand, it is withdrawn as soon as possible from the *cunning* workman, who is prone to irregularities of many kinds, and it is placed in charge of a peculiar mechanism, so self-regulating that a child may superintend it. Thus, to take an example from the spinning of cotton, the first operation in delicacy and importance is that of laying the fibres truly parallel in the spongy slivers; and the next is that of drawing these out into slender spony cords, called rovings, with the least possible twist; both being perfectly uniform throughout their total length. To execute either of these processes tolerably by a hand-wheel, would require a degree of skill not to be met with in one artisan out of a hundred. But fine yarn could not be made in factory-spinning except by taking these steps, nor was it ever made by machinery till Arkwright's sagacity contrived them. Modcrately good yarn may be spun, indeed, on the *hand-wheel* witeout any drawings at all, and with even indtfferent rovings, because the thread, under the twofold action of twisting and extension, has a tendency to equalize itself.

The principles of the factory system then is to substitute mechanical science for hand skill, and the partion of a process into its essential constituents, for the division or graduation of labour among artisans. On the handicraftt plan, labour more or less skilled, was usually the most expensive element of production—*Materiam superabat opius*; but on the automatic plan skilled labour gets progressively superseded, and will, eventually, be replaced by mere overlookers of machines.

By the infirmity of human nature it haypeus, that the more skiful the workman, the more self-willed and intractaple he is apt to become, and of course the less fit a componeut of a mechanical system, in which by occasinal irregularities, he may do great damage to the whole, The grand object, therefore,of the modern manufacturer is. through the union of capital and science. to rednce rhe task of hie workpeople to the exercise of vigilance and dexterity; faculties, when concentered in oee process, speedily brought to perfection in the yonng.

Here is the same subject carried beyond mechanics, even into physiological anb intellectual speculation: a new light thsown upon the subject of Combination of Labaur.—*The Spectator*.

---Captain Stewart, of the brig Mary Russell, which put into cork near seven years ago, after he murdered seven or eight of his crew, in a supposed fit of mental aberration, is now quite recovered, and about to leave the lunatic asylum in that city, which has ever since been burthened with his support. He is a native of Derry.—*Limerick chronicle*.

---An attempt is said to have been made to assassinate the Duke of Saxe Weimar, at the camp a-Ryen, last Wednesday, but it was unsuccessful, and the assassin was seized. It would seen that the man was insane.

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* The term *Factory* in technology designates the combined operation of many order of workpeople adult and young, in tending with assiduous skill a system of productive machines, continously impelled by a central power Page 13,

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